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AN ORDINANCE relating to the keeping of dogs and cats and other small animals, ensuring consistency between Titles 11 and 21A, and amending standards and requirements for licensing; amending Ordinance 1396, Art. I Section 2, as amended, and K.C.C. 11.04.010, Ordinance 1396, Art. I Section 3, as amended, and K.C.C. 11.04.020, Ordinance 7416, Section 1, as amended, and K.C.C. 11.04.030, Ordinance 7416, Section 2, as amended, and K.C.C. 11.04.035, Ordinance 1396, Art. II Section 2, as amended, and K.C.C. 11.04.040, Ordinance 1396, Art. II Section 3, as amended, and K.C.C. 11.04.050, Ordinance 1396, Art. II Section 4, as amended, and K.C.C. 11.04.060, Ordinance 1396, Art. II Section 6, as amended, and K.C.C. 11.04.080, Ordinance 1396, Art. II Section 7, as amended, and K.C.C. 11.04.090, Ordinance 1396, Art. II Section 11, as amended, and K.C.C. 11.04.130, Ordinance 1396, Art. II Section 12, as amended, and K.C.C. 11.04.140, Ordinance 1396, Art. II Section 13, as amended, and K.C.C. 11.04.150, Ordinance 1396, Art. II Section 14, as amended, and K.C.C. 11.04.160, Ordinance 10809, Section 3, as amended, and K.C.C. 11.04.165, Ordinance 10809, Section

4, as amended, and K.C.C. 11.04.167, Ordinance 1396, Art.
III Section 3, and K.C.C. 11.04.190, Ordinance 1396, Art.
III Section 5, as amended, and K.C.C. 11.04.210,
Ordinance 1396, Article II Section 9, as amended, and
K.C.C. 11.04.260, Ordinance 10423, Section 19, and
K.C.C. 11.04.520 and Ordinance 10870, Section 530, as
amended, and K.C.C. 21A.30.020, adding new sections to
K.C.C. chapter 11.04, repealing Ordinance 1396, Art. II
Section 8, as amended, and K.C.C. 11.04.100, Ordinance
1396, Art. II Section 9, as amended, and K.C.C. 11.04.110,
Ordinance 6370, Section 11, and K.C.C. 11.04.320,
Ordinance 10423, Section 6, and K.C.C. 11.04.500 and
Ordinance 10423, Section 20, and K.C.C. 11.04.530 and
prescribing penalties.

..body

PREAMBLE:

In 1993, the council adopted and implemented K.C.C. Title 21A (Zoning Code), which included provisions regulating the keeping of animals within residences as household pets. In 1998, the council adopted Ordinance 13148 (codified in K.C.C. 11.04.010.B) to state its intent that the more recently adopted and more flexible provisions of K.C.C. Title 21A would prevail over any conflicting provision of K.C.C. Title 11.

This ordinance amends both K.C.C. Titles 11 and 21A to remove any conflicts. The hobby kennel license requirement is changed to apply when more than three unaltered pets are maintained or when the total number of dog, cats, or both, exceed the maximum allowable numbers in K.C.C.

Title 21A. Provisions are added to K.C.C. Title 11 to ensure basic health and welfare for the animals and protect human health and safety by ensuring the maintenance of the animals is compatible in the neighborhood. Definitions in K.C.C. Title 11 mirror those in K.C.C. Title 21A.

The activity of fostering, covered by the individual private animal placement permit and the organizational private animal placement permit, is an activity to be promoted and encouraged as it supports the overall goal of promoting pet adoptions and reducing animal euthanasia.

Consequently, permit holders may exceed the maximum number of animals allowed by Title 21A by five.

A number of housekeeping amendments to both K.C.C. Titles 11 and 21A are included to update or clarify provisions, and K.C.C. 21A.30.020 is amended to be consistent with recent changes adopted by the council affecting kennels in the A zone.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 1396, Art, I Section 2, as amended, and K.C.C.

11.04.010 are each hereby amended to read as follows:

Purpose ~~((and scope))~~. ~~((A-))~~ It is declared the public policy of the county to secure and maintain to the greatest degree practicable such levels of animal control as will protect human health and safety, ~~((and to the greatest degree practicable to))~~ prevent cruelty or injury to ~~((property and cruelty to))~~ animal life, prevent damage to property, reduce the euthanasia of healthy adoptable dogs or cats, and increase pet identification. To this end, it is the purpose of this chapter to: provide a means of licensing dogs, cats ~~((animal shelters, hobby kennels, kennels, and pet shops and controlling))~~ and animal-related businesses and activities as set forth in this chapter; control errant animal behavior so that it ~~((shall))~~ does not become a public nuisance; and ~~((to))~~ prevent cruelty to animals.

~~((B- If there is a conflict between a provision of this chapter and provision contained in Title 21A, the provision in Title 21A shall control.))~~

SECTION 2. Ordinance 1396, Art. I Section 3, as amended, and K.C.C. 11.04.020 are each hereby amended to read as follows:

Definitions. In construing ~~((the provisions of))~~ this chapter, except where otherwise plainly declared or clearly apparent from the context, words ~~((used herein))~~ shall be given their common and ordinary meaning~~((;))~~. ~~((;))~~ In addition, the following definitions ~~((shall))~~ apply:

A. "Abate" means to terminate a~~((ny))~~ violation by reasonable and lawful means determined by the manager or designee of the animal control authority ~~((in order))~~ so that an owner or a person presumed to be the owner ~~((shall comply))~~ complies with this chapter.

B. "Animal" means a~~((ny))~~ living creature except Homo sapiens, insects and worms.

C. "Animal control authority" means the county animal ~~((control))~~ services and programs section of the records, elections and licensing services division, acting alone or in concert with other municipalities for enforcement of the animal control laws of the county and state and the shelter and welfare of animals.

D. "Animal control officer" means an~~((y))~~ individual employed, contracted or appointed by the animal control authority for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the licensing of animals, control of animals or seizure and impoundment of animals, and includes a~~((ny))~~ state or municipal peace officer, sheriff, constable or other employee whose duties in whole or in part include assignments that involve the seizure and taking into custody of an~~((y))~~ animal.

E. "Cattery" means a place where ~~((four or more))~~ adult cats are ~~((kept, whether by owners of the cats or by persons providing facilities and care, whether or not))~~ temporarily boarded for compensation, ~~((but not including a pet shop))~~ whether or not for training. An adult cat is one of either sex, altered or unaltered, that has reached the age of six months.

F. "Director" means the director of the department of executive service and his or her duly appointed representatives.

G. "Domesticated animal" means ~~((those))~~ an animal made to be domestic ~~((beasts))~~ such as, but not limited to, a~~((ny))~~ dog, cat, rabbit, horse, mule, ass, bovine animal, lamb, goat, llama, sheep~~((;))~~ or hog ~~((or other animal made to be domestic)).~~

~~((G.))~~ H. "Euthanasia" means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death or by a method that causes painless loss of consciousness and death during the loss of consciousness.

~~((H.))~~ I. "Fostering" means ~~((obtaining unwanted dogs or cats and locating adoptive homes for those licensed and spayed or neutered dogs or cats. Individuals who wish to foster dogs and cats, and who through the activity shall routinely or from time to time harbor, keep or maintain more dogs and cats than allowed in K.C.C. Title 21A, must obtain either an individual or organizational private animal placement permit))~~ providing temporary care for unwanted, owner-released dogs or cats, or both.

~~((I.))~~ J. "Grooming service" means a~~((ny))~~ place or establishment, public or private, where animals are bathed, clipped or combed for the purpose of enhancing ~~((either))~~ their appearance, aesthetic value or health, ~~((or both,))~~ and for which a fee is charged.

~~((J.))~~ K. "Harbored, kept or maintained" means performing any of the acts of providing care, shelter, protection, refuge, food or nourishment in such a manner as to control the animal's actions, or that the animal or animals are treated as living at one's house by the homeowner.

~~((K. "Hobby cattery" means a noncommercial cattery at or adjoining a private residence where four or more adult cats are bred or kept for exhibition for organized shows or for the enjoyment of the species. However, a combination hobby cattery/kennel license may be issued where the total number of cats and dogs exceeds the number allowed in K.C.C. Title 21A.))~~

L. "Hobby kennel" means a noncommercial kennel at or adjoining a private residence where:

1. ~~((f))~~ Four or more unaltered adult dogs or cats, or both, are bred, harbored, ~~((or))~~ kept ~~((for any combination of hunting, training and exhibition for organized shows, field, working or obedience trials, or for the enjoyment of the species. However, a combination hobby cattery/kennel license may be issued where the total number of cats and dogs exceeds the number allowed in K.C.C. Title 21A)),~~ or maintained as personal pets; or

2. The number of dogs or cats, or both, bred, harbored, kept, or maintained as personal pets exceeds the number allowed in K.C.C. Title 21A.

M. "Juvenile" means a ~~((ny))~~ dog or cat, altered or unaltered, that is under the age of six months.

N. "Humane treatment" means an animal is maintained in a safe and sanitary manner and is provided adequate food, water, shelter, waste removal, veterinary care and exercise appropriate for its characteristics including species and breed.

O. "Kennel" means a place where ~~((four or more))~~ adult dogs are ~~((kept, whether by owners of the dogs or by persons providing facilities and care, whether or not))~~ temporarily boarded for compensation, ((but not including a pet shop)) whether or not for training. An adult dog is one of either sex, altered or unaltered, that has reached the age of six months.

~~((O:))~~ P. "Livestock" has the same meaning as in K.C.C. 21A.06.695.

~~((P:))~~ Q. "Owner" means a ~~((ny))~~ person having an interest in or right of possession to an animal or a ~~((ny))~~ person having control, custody or possession of an ~~((y))~~ animal ~~((or~~

~~by reason of the animal being)).~~ A person is presumed to be the owner if the animal is seen residing consistently at a location~~((, shall be presumed to be the owner))~~ owned or controlled by the person.

~~((Q:))~~ R. "Pack" means a group of two or more unrestrained or uncontrolled animals running upon either public or private property not that of its owner in a state in which either its control or ownership is in doubt or cannot readily be ascertained ~~((and when the animals are not restrained or controlled))~~.

~~((R:))~~ S. "Person" means an~~((y))~~ individual, partnership, firm, joint stock company, corporation, association, trust, estate or other legal entity.

~~((S:))~~ T. "Pet" means a dog or cat or any other animal required to be licensed by this chapter. "Dog," "cat" and "pet" may be used interchangeably.

~~((T:))~~ U. "Pet shop" means a~~((ny))~~ person, establishment, store or department of a~~((ny))~~ store that acquires live animals, including birds, reptiles, fowl and fish, and sells, or offers to sell or rent, the live animals to the public or to retail outlets.

~~((U:))~~ V. "Private animal placement permit – individual" means a permit issued to a person~~((s))~~ engaged in the activity of fostering four or more adult dogs ~~((and))~~ or cats ~~((who meet certain requirements to allow the persons to possess more dogs and cats than is specified in K.C.C. Title 21A. Persons holding an individual private animal placement permit and fostering dogs and cats must locate an adoptive home for a dog or cat within six months of acquisition of the dog or cat))~~, or both, or a person whose activity of fostering causes them to exceed the maximum number of small animals allowed under K.C.C. Title 21A.

~~((V.))~~ W. "Private animal placement permit – organizational" means a permit~~((s))~~ issued to an organization~~((s))~~ whose members are engaged in fostering four or more adult dogs ~~((and))~~ or cats, ~~((the organizations having first met certain requirements. These organizations may distribute these permits to individuals who will foster the dogs and cats in their homes. The permits will allow the individuals to possess more dogs and cats than is specified in K.C.C. Title 21A. The organizations must be approved by the director, and their permit holders must locate an adoptive home for a dog or cat within six months of acquisition of the dog or cat))~~ or both, or a member whose activity of fostering causes them to exceed the maximum number of small animals allowed under K.C.C. Title 21A.

~~((W.))~~ X. "Running at large" means to be off the premises of the owner and not under the control of the owner or competent person authorized by the owner, either by leash, verbal voice or signal control.

~~((X.))~~ Y. "Service animal" means a~~((ny animal))~~ guide dog, signal dog or other dog or cat that is individually trained or being trained ~~((to aid a person who is blind, hearing impaired or otherwise disabled and is used for that purpose and is registered with a recognized service animal organization))~~ to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped items.

~~((Y.))~~ Z. "Shelter" means a facility that is owned, operated or maintained by a public body used to house ~~((or contain))~~ stray, ~~((homeless,))~~ owner-released, impounded

or abandoned ((or unwanted)) animals ((and that is)), or a facility owned, operated or maintained by ~~((a public body,))~~ an established humane society, animal welfare society, society for the prevention of cruelty to animals or other nonprofit organization ~~((or person devoted to the welfare, protection and humane treatment of animals))~~ that houses or places, or both, owner-released animals.

~~((Z. "Special hobby kennel license" means a license issued status to pet owners under certain conditions who do not meet the requirements for a Hobby Kennel License, to allow them to retain only those specific dogs and cats then in their possession until such time as the death or transfer of such animals reduces the number they possess to the legal limit set forth in the King County Zoning Code.~~

AA. "Under control" means the animal is either under competent voice control or competent signal control, or both, so as to be restrained from approaching a~~((ny))~~ bystander or other animal and from causing or being the cause of physical property damage when off a leash or off the premises of the owner.

BB. "Vicious" means ~~((the))~~ an act ~~((of))~~, or the propensity to do an~~((y))~~ act, endangering the safety of a~~((ny))~~ person, animal or property of another, including, but not limited to, either or both biting a human being or attacking a human being or domesticated animal without provocation.

SECTION 3. Ordinance 7416, Section 1, as amended, and K.C.C. 11.04.030 are each hereby amended to read as follows:

Pet licenses required.

A. ~~((LICENSE REQUIREMENTS.))~~ All dogs and cats eight weeks and over which are harbored, kept, or maintained in King County shall be licensed and registered annually.

B. ~~((LICENSE ISSUANCE.))~~ Pet licenses shall be issued by the animal ~~((control))~~ services and programs section and may be issued by veterinarians, pet shops, catteries, and kennels and other approved locations upon application and the payment of a license fee made payable to the department of finance according to the schedule provided in K.C.C. 11.04.035 ~~((of this chapter.))~~.

1. Pet licenses for unaltered dogs and cats ~~((will))~~ shall be valid for a term of one year from the date of issuance, expiring on the last day of the twelfth month. Pet licenses for altered dogs and cats ~~((will))~~ shall be valid for one year, expiring on the last day of the twelfth month. There is no proration of any license fees. Renewal licenses ~~((will))~~ shall retain the original expiration period whether renewed ~~((prior to))~~ before, ~~on((;))~~ or after their respective renewal month.

2. Juvenile pet licenses must be obtained for ~~((pets))~~ dogs or cats, or both, from eight weeks to six months of age. Juvenile pet licenses shall be valid for six months, expiring on the last day of the sixth month.

3. Private placement pet licenses must be obtained for dogs or cats, or both, that are eight weeks or older and are being fostered by holders of an individual or organizational private placement animal permit. A private placement pet license shall be valid for six months, expiring on the last day of the sixth month, and may be renewed only as an annual pet license.

4. King County residents sixty-five years of age or older may purchase a special permanent license for the lifetime of cats or dogs ~~((which))~~ that are neutered or spayed and for which they are the registered owners when ~~((said))~~ the animals are maintained at ~~((said))~~ the owner's registered address. ~~((Such))~~ Those residents shall not be required to annually purchase a new license for the lifetime of ~~((such))~~ the licensed animal~~((s; provided, that no person))~~. However a household shall not be issued more than three ~~((3))~~ special permanent ~~((animal))~~ pet licenses for any combination of three ~~((3))~~ cats and dogs for which ~~((they are))~~ a member of the household is the registered owner.

~~((4.))~~ 5. Applications for a pet license shall be on forms provided by the animal ~~((control))~~ services and programs section.

~~((5.))~~ 6. License tags shall be worn by dogs at all times. ~~((As an alternative to a license tag, a dog or cat may be identified as licensed by being tattooed on its right ear or on its inside right thigh or groin with a license number approved or issued by the animal control section.))~~

~~((6.))~~ 7. Owners of dogs ~~((and/))~~ or cats, or both, ~~((which))~~ who hold valid licenses from other jurisdictions and who move into King County may transfer the license by paying a transfer fee. ~~((Such))~~ The license shall maintain the original expiration date not to exceed one year.

~~((7.))~~ 8. It shall be a violation of this chapter for any person to sell or transfer ownership of a~~((ny))~~ pet without a pet license. The King County animal control authority shall be notified of the name, address~~((;))~~ and telephone number of the new owner by the person who sold or transferred the pet.

C. ~~((PENALTY:))~~ A late penalty shall be charged on all pet license applications, according to the schedule provided in ~~((Section))~~ K.C.C. 11.04.035 ~~((of this chapter))~~.

D. ~~((FEES COLLECTED:))~~ All fees and fines collected under this chapter shall be deposited in the county current expense fund and shall be distributed according to ~~((the provisions in))~~ K.C.C. 11.04.035.

E. ~~((CHECKS:))~~ It shall be a violation of this chapter for a ~~((ny))~~ person to knowingly issue a check for which funds are insufficient or to stop payment on any check written in payment of fees contained in this chapter. Any license ~~((s))~~ or penalty ~~((ies))~~ paid for with such checks are, in the case of the license, invalid; and in the case of the penalty, still outstanding. Costs incurred by the county in collecting checks of this nature shall be considered a cost of abatement and are personal obligations of the animal owner under K.C.C. 11.04.300.

F. ~~((NONAPPLICABILITY. The provisions of t))~~ This section shall not apply to dogs or cats in the custody of a veterinarian or animal shelter or whose owners are nonresidents temporarily within the county for a period not exceeding thirty days.

SECTION 4. Ordinance 7416, Section 2, as amended, and K.C.C. 11.04.035 are each hereby amended to read as follows: License fees and penalties. A. The following fees are applicable as provided in this chapter:

1.		<u>Annual</u> ((P)) pet license	
	a.	Unaltered (dog or cat)	\$ 55.00
	b.	Altered	\$17.00

2.		<u>6-month pet license</u>	
	a.	Juvenile pet license	\$5.00
	b.	<u>Private placement pet license</u>	<u>\$5.00</u>
3.		Senior citizen - lifetime license	
	a.	Senior citizen - lifetime license - dog	\$20.00
	b.	Senior citizen - lifetime license - cat	\$12.00
4.		Replacement tag	\$5.00
5.		Transfer fee	\$((3.00)) <u>5.00</u>
6.		Animal shelter	\$250.00
7.		Kennel and cattery	
	a.	Hobby	\$50.00
	b.	Commercial	\$250.00
8.		Pet shop	\$250.00
9.		Grooming service	
	((a-))	Operating alone <u>or in conjunction with pet shop, kennel, or veterinarian</u>	\$150.00
	((b-))	When operated in conjunction with pet shop or kennel or veterinarian	(\$150.00))
10		Guard dog registration	\$100.00
11.		Exotic pet	
	a.	New	\$500.00

	b.	Renewal	\$250.00
12.		Service animal	no charge
13.		K-9 police dog	no charge
14.		Individual private animal placement permit	\$((25.00)) 10.00
15.		Organizational private animal placement permit	\$10.00

B. The following late fees are applicable to license renewal applications as provided in this chapter:

1.		Received after forty-five days of license expiration, but before ninety days or failure to comply with K.C.C. 11.04.030C	\$10.00
2.		Received after ninety days of license expiration, but before one hundred thirty-five days	\$20.00
3.		Received after one hundred thirty-five days of license expiration	\$40.00

C. The following penalties shall be assessed:

1.		Dog leash law violations	
	a.	First notice	\$25.00
	b.	Successive violations within one year	\$50.00
2.		Civil penalties	maximum \$1,000.00

3.		Animal abandonment	\$500.00
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D. The following service fees apply as provided in this chapter:

1.		Adoptions - per animal	\$75.00
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This is a one-price fee that includes the fee for adopting an animal, the license fee and the spaying or neutering of the animal.

2.		Spay/neuter deposit - per animal as required in K.C.C. 11.04.210B.1.a	\$35.00
3.		Impound and redemption	
	a.	Dog, cats other small animals	
		First offense	\$30.00
		Second offense, within one year	\$60.00
		Third offense within one year	\$90.00
	b.	Livestock	\$100.00
4.		Kenneling - per 24 hours or portion thereof	\$12.00

SECTION 5. Ordinance 1396, Art. II Section 2, as amended, and K.C.C.

11.04.040 are each hereby amended to read as follows:

Animal shelter, kennel, hobby kennel, grooming service, cattery and pet shop licenses – ((R))required. ~~((It is unlawful for any))~~ A person ~~((to))~~ shall not own, operate, keep or maintain an((y)) animal shelter, kennel, cattery, hobby kennel, grooming service or pet shop within King County without first obtaining a valid and subsisting license ~~((therefor))~~. ~~((The))~~ All applicable fees, as provided in K.C.C. 11.04.035, shall be

assessed ~~((not upon individual animals but))~~ upon the owner or ~~((keeper))~~ operator of an animal shelter, kennel, cattery, hobby kennel, grooming service or pet shop. In addition, each dog or cat, except those boarded for less than thirty days by a licensed commercial kennel or commercial cattery or groomed at a licensed grooming service, shall be individually licensed under K.C.C. 11.04.030B. Each license and certificate of inspection issued ~~((pursuant to))~~ under this chapter to commercial establishments shall be conspicuously displayed at the establishment to which ~~((such))~~ the license ~~((was))~~ is issued. ~~((The))~~ A new license shall be dated and numbered and shall bear the name of King County, Washington, ~~((and))~~ the name and address of the owner or ~~((keeper))~~ operator of the establishment~~((;))~~ and the expiration date of the license. The license ~~((shall run))~~ is valid for ~~((a period of))~~ one year from the date of ~~((purchase))~~ application. A license renewal retains its initial expiration day and month.

SECTION 6. Ordinance 1396, Art. II Section 3, as amended, and K.C.C.

11.04.050 are each hereby amended to read as follows:

Animal shelter, cattery, pet shop, grooming service and kennel licenses – ~~((F))~~ information required.

A. The applicant for an original animal shelter, cattery, pet shop, grooming service~~((;))~~ or kennel license shall present to the animal control authority a written statement from the county department of development and environmental services that the establishment of the animal shelter, cattery, pet shop, grooming service or kennel at the proposed site is not in violation of K.C.C. Title 21A, has a legal nonconforming zoning status~~((;))~~ or a conditional use permit has been issued for the intended use.0

B. Before an animal shelter, cattery, pet shop, grooming service or kennel license may be issued by the animal control authority, a certificate of inspection from the Seattle-King County health department or King County animal control section must be issued showing that the animal shelter, cattery, pet shop, grooming service or kennel is in compliance with K.C.C. 11.04.080(~~(;)~~) and 11.04.090(~~(, 11.04.100 and 11.04.110)~~).

SECTION 7. Ordinance 1396, Art. II Section 4, as amended, and K.C.C.

11.04.060 are each hereby amended to read as follows:

Hobby kennel (~~((or hobby cattery))~~) – (~~((R))~~)required license.

A. (~~((LICENSE REQUIRED. It is unlawful for any))~~) A person (~~((to))~~) shall not (~~((keep and))~~) maintain (~~((any dog or cat within the county for the purposes of))~~) a hobby kennel (~~((or hobby cattery))~~) within the county without annually obtaining a valid and subsisting license (~~((therefor))~~). The fee for (~~((such))~~) the annual license shall be assessed upon the owner or keeper of (~~((such))~~) the animals and shall be as provided in K.C.C. 11.04.035. In addition, each animal harbored, kept or maintained by a hobby kennel shall be licensed individually under (~~((provisions of))~~) K.C.C. 11.04.030B.

B. (~~((LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. Any))~~) A hobby kennel (~~((or hobby cattery))~~) license shall limit the total number of dogs (~~((and))~~) or cats (~~((over six months of age))~~), or both, kept by (~~((such))~~) the hobby kennel (~~((or hobby cattery))~~) based on the following guidelines:

1. Animal size;
2. Type and characteristics of the breed;

3. The amount of lot area(~~(; provided, that))~~, though: the maximum number shall not exceed the following: (~~(twenty five where the lot area contains five acres or more; the maximum number shall not exceed ten where the lot area contains thirty five thousand square feet but less than five acres; and the maximum number shall not exceed five where the lot area is less than thirty five thousand square feet;))~~)

Maximum Numbers of Pets Allowed Per Lot Size

<u>Lot Size</u>	<u>Indoor Cats</u>	<u>Indoor Dogs</u>	<u>Outdoor Dogs/Cats</u>	<u>Additional Dogs/Cats</u>
	<u>Maximum per K.C.C. 21A.030.020</u>	<u>Maximum per K.C.C. 21A.030.020</u>	<u>Maximum per K.C.C. 21A.030.020</u>	<u>Maximum additional with hobby kennel license</u>
<u><20,000 sq. ft.</u>	<u>Unlimited</u>	<u>5</u>	<u>3</u>	<u>5</u>
<u>20,000 – 35,000 sq. ft.</u>	<u>Unlimited</u>	<u>5</u>	<u>5</u>	<u>5</u>
<u>+35,000 - 1.3 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>6</u>	<u>5</u>
<u>+ 1.3 - 1.8 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>7</u>	<u>5</u>
<u>+1.8 – 2.3 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>8</u>	<u>5</u>
<u>+2.3 – 2.8 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>9</u>	<u>5</u>
<u>+ 2.8 – 3.3 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>10</u>	<u>5</u>
<u>+ 3.3 – 3.8 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>11</u>	<u>5</u>
<u>+ 3.8 – 4.3 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>12</u>	<u>5</u>
<u>+ 4.3 – 4.8 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>13</u>	<u>5</u>
<u>+ 4.8 – 5.3 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>14</u>	<u>5</u>
<u>+5.3 – 5.8 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>15</u>	<u>5</u>
<u>+5.8 – 6.3 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>16</u>	<u>5</u>
<u>+6.3 – 6.8 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>17</u>	<u>5</u>
<u>+6.8 – 7.3 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>18</u>	<u>5</u>
<u>+7.3 – 7.8 acres</u>	<u>Unlimited</u>	<u>5</u>	<u>19</u>	<u>5</u>
<u>+ 7.8</u>	<u>Unlimited</u>	<u>5</u>	<u>20</u>	<u>5</u>

4. The facility specifications(~~(/))~~ and dimensions in which the dogs and cats are to be maintained; and

5. The zoning classification in which the hobby kennel (~~(or hobby cattery))~~ would be maintained.

C. ~~((REQUIREMENTS. Hobby kennels and hobby catteries.~~

~~1. All open run areas shall be completely surrounded by a six foot fence set back at least twenty feet from all property lines; provided this requirement may be modified for hobby catteries as long as the open run area contains the cats and prohibits the entrance of children. For purposes of this section "Open run area" means that area, within the property lines of the premises on which the hobby kennel or hobby cattery is to be maintained, where the dogs and cats are sheltered or maintained. If there is no area set aside for sheltering or maintaining the dogs within the property lines of the premises the twenty foot setback does not apply. The property lines of premises not containing an open run area must be completely surrounded by a six foot fence;))~~ For hobby kennels located in a contract city that adopts this section by reference, a hobby kennel shall mean, unless otherwise defined in the city zoning code, a noncommercial kennel at or adjoining a private residence where four or more adult dogs or cats or both are bred, harbored, kept or maintained as personal pets. The total number of dogs or cats, or both, kept by the hobby kennel shall be limited based on the following guidelines:

1. Animal size;

2. Type and characteristics of the breed;

3. The amount of lot area, though: the maximum number shall not exceed twenty-five where the lot area contains five acres or more; the maximum number shall not exceed ten where the lot area contains thirty-five thousand square feet but less than five acres; and the maximum number shall not exceed five where the lot area is less than thirty-five thousand square feet;

4. The facility specifications and dimensions in which the dogs and cats are to be maintained; and

5. The zoning classification in which the hobby kennel would be maintained.

D.1.a. All dogs or cats, or both, kept in a hobby kennel shall be maintained in such a manner as to confine them to the owner's property.

b. Any combination of kennel runs, cattery runs, structures or enclosures used to house or confine dogs or cats, or both, either all or part of the time, shall be set back a minimum of ten feet from the property line. If there is not an area set aside for sheltering or maintaining the dogs or cats within the property lines of the premises all or part of the time, the ten-foot setback does not apply.

c. An area used to confine dogs or cats, or both, shall be surrounded by a physical barrier adequate to confine the animals to the owner's property.

2. ~~((No e))~~ Commercial signs or other appearances advertising the hobby kennel ~~((or hobby cattery))~~ are not permitted on the property except ~~((for the sale of the allowable offspring set forth in this section;))~~ as authorized in K.C.C. Title 21A.

3. The director may require any combination of setback, additional setback from that required in Title 21A, fencing, screening ~~((or))~~, soundproofing or other measures as she or he deems necessary to ~~((insure))~~ ensure the compatibility of the hobby kennel ~~((or hobby cattery))~~ with the surrounding neighborhood and to ensure the health and welfare of the animals. Factors to be considered in determining ~~((such))~~ compatibility ~~((are))~~ and animal health and welfare include, but are not limited to:

- a. Statements (~~((regarding approval/disapproval))~~) of surrounding neighbors (~~((relative to))~~) regarding the maintenance of a hobby kennel (~~((or hobby cattery))~~) at the address applied for;
 - b. Past history of animal control complaints relating to the applicant's dogs (~~((and))~~) or cats (~~((of the applicant))~~), or both, at the address for which the hobby kennel (~~((or hobby cattery))~~) is applied for;
 - c. Facility specifications(~~((/))~~) and dimensions in which the dogs (~~((and))~~) or cats, or both, are to be maintained;
 - d. Animal size, type and characteristics of breed; and
 - e. The zoning classification of the premises on which the hobby kennel (~~((or hobby cattery))~~) is maintained.
4. The hobby kennel (~~((or hobby cattery))~~) shall limit dog and cat reproduction to no more than one litter per license year per female dog and (~~((two litters per license year per))~~) female cat(~~((;))~~). Only litters from licensed female dogs or cats, or both, are allowed on the premises. Only the licensed juvenile off-spring of licensed adult dogs or cats, or both, allowed by the hobby kennel may be offered for sale.
5. Each dog and cat in the hobby kennel (~~((or hobby cattery))~~) shall have current and proper immunization from disease according to the dog's and cat's species and age. (~~((Such))~~) The immunization shall consist of DHLPP inoculation for dogs over three months of age and FVRCP for cats over two months of age, (~~((and))~~) rabies inoculations for all dogs and cats over (~~((six))~~) four months of age and any other immunization as prescribed by the animal control authority.

~~((D. LICENSE ISSUANCE AND MAINTENANCE.))~~ E. Only when the director is satisfied that the requirements of ~~((K.C.C. 11.04.060 C.1. through 5.))~~ this section have been met~~((;))~~ may a hobby kennel ~~((or hobby cattery))~~ license ~~((may))~~ be issued. The license ~~((will))~~ continues in full force ~~((throughout))~~ through the license year unless, at ~~((anytime))~~ any time, the hobby kennel ~~((or hobby cattery))~~ is maintained in such a manner as to:

1. Exceed the number of dogs ~~((and))~~ or cats ~~((allowed at))~~, or both, authorized by the hobby kennel ~~((by the animal control section))~~ license; or~~((;))~~
2. Fail to comply with ~~((any of the requirements of K.C.C. 11.04.060 C.1. through 5))~~ this title.

~~((E. SPECIAL HOBBY KENNEL LICENSE~~

~~1. Persons owning a total number of dogs and cats exceeding three, who do not meet the requirements for a hobby kennel license, may be eligible for a special hobby kennel license to be issued at no cost by the animal control authority which will allow them to retain the specific animals then in their possession; provided that the following conditions are met:~~

~~a. The applicant must apply for the special hobby kennel license and individual licenses for each dog and cat within 30 days of the enactment of Ordinance 10423, or at the time they are contacted by an Animal Control Officer, King County License Inspector, or King County Pet License Canvasser.~~

~~b. The applicant is keeping the dogs and cats for the enjoyment of the species, and not as a commercial enterprise~~

~~2. The special hobby kennel license shall only be valid for those specific dogs and cats in the possession of the applicant at the time of issuance, and is intended to allow pet owners to possess animals beyond the limits imposed by Title 21 of the K.C.C. until such time as the death or transfer of such animals reduces the number possessed to the legal limit set forth in Title 21A of the K.C.C.~~

~~3. The director of animal control may deny any application for a special hobby kennel license based on past Animal Control Code violations by the applicant's dogs and cats, or complaints from neighbors regarding the applicant's dogs and cats; or if the animal(s) is maintained in inhumane conditions.))~~

SECTION 8. Ordinance 1396, Art. II Section 6, as amended, and K.C.C.

11.04.080 are each hereby each amended to read as follows:

Animal shelters, catteries, grooming services, kennels, hobby kennels, private animal placements and pet shops – ((F))inspection.

A. ~~((INSPECTION. It shall be the duty of t))~~The director ~~((or his agent))~~ of the Seattle-King County department of public health or the director's agent or the animal control authority ~~((t))~~ shall make or cause to be made such inspections as ~~((may))~~ might be necessary to ~~((insure))~~ ensure compliance with ~~((Sections 11.04.090, 11.04.100 and 11.04.110))~~ this chapter. The owner or ~~((keeper))~~ operator of an animal shelter, kennel, cattery, hobby kennel, private animal placement facility, grooming service or pet shop shall admit to the premises, for the purpose of making an inspection, an~~((y))~~ officer, agent or employee of the Seattle-King County department of public health or animal control authority at any reasonable time that admission is requested.

B. ~~((UNSANITARY CONDITIONS UNLAWFUL. It is unlawful to keep))~~ A
person shall not operate, use or maintain within King County an~~((y))~~ animal shelter,
 kennel, cattery, hobby kennel, private animal placement facility, grooming service or pet
 shop that is unsanitary, nauseous, foul or offensive, or in any way detrimental to either, or
both, the public health and~~((or))~~ safety, or animal health and safety, and not in
 compliance with ~~((Sections 11.04.070, 11.04.090, 11.04.100 and 11.04.110 and))~~ this
chapter. Operation, use or maintenance under those conditions may be cause for
 revocation or denial of ~~((such))~~ the license.

SECTION 9. Ordinance 1396, Art. II Section 7, as amended, and K.C.C.

11.04.090 are each hereby amended to read as follows:

Animal shelters, kennels, ~~((grooming services,))~~ catteries, grooming services
and pet shops – ~~((C))~~conditions for licensing and operation. Animal shelters, kennels,
 catteries, grooming services and pet shops shall ~~((meet))~~ comply with the following
 conditions:

A. All animals shall be handled and maintained in a safe and humane manner:

B. Housing ~~((facilities))~~ structures and fencing, if applicable, shall be provided to
contain the animals ~~((and such))~~. The structures or fencing, or both, shall be structurally
 sound and ~~((shall be))~~ maintained in good repair~~((; shall be designed-))~~ so as to
adequately protect the animals from injury ~~((; shall contain the animals; and shall~~
~~restrict))~~ and prevent the entrance of other animals~~((;))~~;

~~((B-))~~ C. ((Electric p)) Power shall be supplied in conformance with all applicable city, county~~((;))~~ and state ~~((electrical))~~ codes ~~((adequate to))~~ and shall adequately supply lighting and heating as may be required by this chapter~~((;))~~;

D. Water shall be supplied at sufficient pressure and quantity to clean indoor housing facilities and primary enclosures of debris and excreta~~((;))~~;

~~((C-))~~ E. Suitable food and bedding shall be ~~((provided and))~~ stored in facilities adequate to provide protection against infestation or contamination by insects, vermin or rodents. Refrigeration shall be provided for ~~((the protection of))~~ all perishable foods~~((;))~~;

~~((D-))~~ F. ~~((Provision shall be made for the removal and disposal of a))~~ Animal and food wastes, bedding, dead animals~~((;))~~ and debris ~~((Disposal facilities shall be maintained in a sanitary condition, free from the infestation or contamination of insects, vermin or rodents or disease, and from obnoxious or foul odors.))~~ shall be disposed of in a lawful, safe and sanitary manner so as to control odors, disease and the infestation of insects, vermin or rodents;

~~((E-))~~ G. Washroom facilities~~((, including))~~ shall be conveniently available for cleaning purposes, and shall be equipped with sinks ~~((and))~~, toilets, ~~((with))~~ hot and cold water~~((, must be conveniently available for cleaning purposes,))~~ and a large sink or tub ~~((provided))~~ for the purpose of washing utensils, equipment and facilities~~((;))~~;

~~((F-))~~ H. Sufficient natural or artificial lighting shall be provided for the humane maintenance of the animals and to permit safe, routine inspection and cleaning at any time;

I. Interior ambient temperature shall be maintained at levels appropriate for the type, breed and characteristics of the animal;

J. Adequate ventilation shall be maintained to ensure animal comfort by providing adequate fresh air and to minimize drafts, odors and moisture condensation. Mechanical ventilation shall be provided where ambient temperatures exceed seventy-five degrees Fahrenheit;

K. Interior surfaces shall be constructed of impervious materials and maintained in a manner that permits sanitizing and prevents moisture penetration. Interior walls shall be constructed so that the interface with floor surfaces is sealed from the flow or accumulation of moisture or debris;

L. All animal housing structures shall be maintained in a clean and sanitary manner to control disease transmission, obnoxious odors and unsightly appearance;

M. A drainage system shall be installed and maintained so as to rapidly remove water and excrement from the housing facility under any temperature and weather condition. The drainage system shall comply with all applicable county and state regulations;

N. Outdoor facilities shall provide protective shading and adequate shelter areas to prevent harmful exposure to weather conditions for those animals not acclimated to the environment. In addition, the facilities shall be constructed to provide sufficient space for the movement and comfort of each animal;

O. Appropriate and timely veterinary medical care shall be provided for all animals;

P. Sick animals shall be separated from those appearing healthy and normal and, if for sale, shall be removed from display and sale. Sick animals shall be kept in isolation quarters with adequate ventilation to keep from contaminating ~~((well))~~ healthy animals~~((:))~~;

~~((G:))~~ Q. There shall be an employee on duty at all times during open hours ~~((any store is open))~~ whose responsibility ~~((shall be the))~~ is providing and ensuring care and welfare of all ~~((the))~~ animals ~~((in that shop or department held for sale or display.))~~ on the premises;

~~((H:))~~ R. An employee or owner shall come in to feed, water and do the necessary cleaning of all animals ~~((and birds))~~ on all days the ~~((store or shop))~~ facility is closed~~((:))~~;

~~((I:))~~ S. A person ~~((, persons, association, firm or corporation shall))~~ may not knowingly sell or give a sick or injured animal ~~((or bird.))~~ without the full disclosure to the purchaser or adopter.

~~((J:))~~ T. A person ~~((, persons, association, firm or corporation shall))~~ may not misrepresent an animal ~~((or bird))~~ to a consumer in any way~~((:))~~; and

U. Animals that are caged, closely confined or restrained shall be exercised in a yard or suitable exercise area for an appropriate length of time depending on their size, age, characteristics and species.

SECTION 10. Ordinance 1396, Art. II Section 8, as amended, and K.C.C.

11.04.100 are each hereby repealed.

~~((Animal shelters, kennels, catteries, grooming services and pet shops -- Indoor facilities. Animal shelters, kennels and pet shops which have indoor housing facilities for animals and birds shall:~~

~~A. Be sufficiently heated or cooled to protect such animals from temperatures to which they are not normally acclimatized;~~

~~B. Be adequately ventilated to provide for the health of animals contained therein and to assist in the removal of foul and obnoxious odors. Provision shall be made so that the volume of air within any enclosed indoor facility shall be changed three times or more each hour. This may be accomplished through the location and periodic opening of doors and windows. If fans or ventilating equipment are used, they shall be constructed in conformance with current standards of good engineering practice with respect to noise and minimization of drafts;~~

~~C. Have sufficient natural or artificial lighting to permit routine inspection and cleaning at any time of day. In addition, sufficient natural or artificial lighting shall be supplied in the area of sinks and toilets to provide for the hygiene of animal caretakers;~~

~~D. Have interior wall and ceiling surfaces constructed of materials which are resistant to the absorption of moisture and odors, or such surfaces shall be treated with a sealant or with paint, when such materials are not originally resistant to moisture or odors. Floor surfaces shall not be made of unsealed wood. In addition, interior walls shall be constructed so that the interface with floor surfaces is sealed from the flow or accumulation of moisture or debris;~~

~~E. Contain a drainage system which shall be connected to a sanitary sewer or septic tank system which conforms to the standards of building codes in force within the county and shall be designed to rapidly remove water and excreta in the cleaning of such indoor housing facility under any condition of weather or temperature; provided, this requirement shall not apply to hobby kennels and pet shops. All indoor housing facilities for animals, fish, or birds shall be maintained in a clean and sanitary condition and a safe and effective disinfectant shall be used in the cleaning of such facilities.))~~

SECTION 11. Ordinance 1396, Art. II Section 9, as amended, and K.C.C.

11.04.110 are each hereby repealed.

~~((Animal shelters, kennels, catteries and pet shops – Outdoor facilities. Animal shelters, kennels, catteries and pet shops which have outdoor facilities for animals and birds shall:~~

~~A. Be constructed to provide shelter from excessive sunlight, rain, snow, wind, or other elements. In addition, such facilities shall be constructed to provide sufficient space for the proper exercise and movement of each animal contained therein;~~

~~B. Be constructed to provide drainage and to prevent the accumulation of water, mud, debris, excreta, or other materials and shall be designed to facilitate the removal of animal and food wastes;~~

~~C. Be constructed with adequate walls or fences to contain the animals kept therein and to prevent entrance of other animals.))~~

SECTION 12. Ordinance 1396, Art. II Section 11, as amended, and K.C.C.

11.04.130 are each hereby amended to read as follows:

Grooming ((parlors)) service – ((€))conditions. Grooming ((parlors)) services shall:

A. Not board animals, but keep ~~((only dogs and cats))~~ animals for a reasonable time ~~((in order))~~ to perform the business of grooming;

B. Provide such restraining straps for the ~~((dog or cat))~~ animal while it is being groomed so that ~~((such))~~ the animal ~~((shall))~~ will neither fall nor be hanged;

C. Sterilize all equipment after each ~~((dog or cat))~~ animal has been groomed;

D. Not leave animals unattended before a dryer;

E. Not prescribe treatment or medicine that is the province of a licensed veterinarian as provided in RCW 18.92.010;

F. Not put more than one animal in each cage unless authorized by the animal owner;

G. Construct ~~((A))~~ all floors and walls in a room~~((s))~~, pen~~((s and))~~, or cage~~((s))~~ used to retain animals or in an area~~((s))~~ where animals are clipped, groomed or treated ~~((must be constructed))~~ of water-impervious material that can readily be cleaned~~((;))~~ and ~~((must be maintained))~~ shall maintain the floors and walls in good repair;

H. Make ~~((H))~~ hot and cold water ~~((must be))~~ conveniently available and provide a sufficiently large sink or ~~((tub provided (minimum size twenty four inches by eighteen inches by twelve inches)))~~ bathing facility to safely and comfortably bath the animal;

I. Make conveniently available ~~((F))~~ toilet and hand washing facilities with hot and cold running water ~~((must be conveniently available))~~ for ~~((personnel employed))~~ employees;

J. Keep or store ~~((Θ))~~only the equipment necessary to the operation of the licensed establishment ~~((shall be kept or stored))~~ on the premises ~~((and shall only))~~. The equipment shall be stored in a sanitary ~~((or))~~ and orderly manner; and

K. Keep in a clean and sanitary condition and disinfect after use by each animal ~~((A))~~all cages, pens~~((;))~~ or kennels used for holding animals ~~((shall be kept in a clean and sanitary condition and must be disinfected on a routine basis))~~.

SECTION 13. Ordinance 1396, Art. II Section 12, as amended, and K.C.C.

11.04.140 are each hereby amended to read as follows:

Animal shelters, hobby kennels, kennels, catteries, private animal placements, pet shops, grooming ((parlors)) services, guard dog purveyors, guard dog trainers and guard dog ((owners)) registrants – ((A))additional conditions. The director of the animal control authority ~~((is authorized to promulgate))~~ may adopt rules and regulations not in conflict with this title as they pertain to the conditions and operations of animal shelters, hobby kennels, kennels, catteries, private animal placements, pet shops, grooming ((parlors)) services, guard dog purveyors, guard dog trainers and guard dog ((owners)) registrations. ~~((Such))~~ The rules and regulations may be enacted only after a public hearing has been held for ~~((such))~~ that purpose. Enforcement of these rules and regulations may be appealed to the county board of appeals and equalization.

SECTION 14. Ordinance 1396, Art. II Section 13, as amended, and K.C.C.

11.04.150 are each hereby amended to read as follows:

Licenses, registration – ((R))revocation, suspension or refusal to issue or renew. The animal control authority may, in addition to other penalties provided in this title, revoke, suspend or refuse to issue or renew an((y)) animal shelter, hobby kennel, kennel, cattery, grooming ((parlor)) service, pet shop, guard dog purveyor, guard dog trainer license ((or)), guard dog registration or private animal placement permit upon good cause or for failure to comply with ((any provision of)) this title((; provided, h)). However, enforcement of such a revocation, suspension or refusal shall be stayed during the pendency of an appeal filed ((pursuant to Section)) under K.C.C. 11.04.260.

SECTION 15. Ordinance 1396, Art. II Section 14, as amended, and K.C.C. 11.04.160 are each hereby amended to read as follows:

Licenses, registration – ((R))revocation or refusal waiting period. ((No)) An applicant shall not be issued an animal shelter, hobby kennel, kennel, cattery, grooming ((parlor)) services, pet shop, guard dog purveyor, guard dog trainer license ((or)), guard dog registration ((who)) or private animal placement permit if the applicant has previously had ((such)) the license ((or)), registration or permit revoked or a renewal refused((;)) for ((a period of)) one year after the date of revocation or refusal and until ((such)) the applicant meets the applicable requirements ((contained)) in ((Sections 11.04.070 through 11.04.110)) this chapter or any other applicable provision of this title to the satisfaction of the animal control authority.

SECTION 16. Ordinance 10809, Section 3, as amended, and K.C.C. 11.04.165 are each hereby amended to read as follows:

Private ((A))animal ((P))placement ((P))permit – ((I))individual.

A. ~~((PERMIT REQUIRED:))~~ A~~((ny))~~ person ~~((independently))~~ engaged in the fostering of four or more adult dogs ~~((and))~~ or cats ~~((who routinely possesses more dogs and cats than are))~~, or both, or whose activity of fostering causes them to exceed the maximum number of small animals allowed in ~~((Title 21A))~~ K.C.C. Title 21A must obtain an ~~((I))~~individual ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permit from the animal control authority. Permits ~~((shall be))~~ are valid for one year from the date of ~~((issuance))~~ application, and may not be transferred.

B. ~~((QUALIFICATIONS. In order to))~~ To qualify for an ~~((I))~~individual ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permit an applicant must:

1. Maintain and care for dogs and cats in a humane and sanitary fashion in compliance with ~~((the provisions of))~~ K.C.C. 11.04.090~~((:))~~;
2. Reside where the fostering of dogs ~~((and))~~ or cats, or both, is compatible with the surrounding neighborhood~~((:))~~;
3. Agree to ~~((return stray or lost))~~ accept only owner-released animals ~~((to their owners in accordance with the requirements of K.C.C. 11.04.210 before placing such animals in an adoptive home:))~~ or animals released by the animal control authority;
4. Agree to spay~~((/))~~ or neuter, and license, each dog or cat before placement into its new home and transfer the license of each animal to its adoptive owner~~((:))~~; and
5. Agree to coordinate ~~((their))~~ the applicant's adoption process with animal control, including reporting on the disposition of each animal, and only ~~((adopting))~~ adopt to owners who would qualify to adopt an animal from a King County ~~((A))~~animal

~~((C))~~control ~~((S))~~shelter based on the adoption procedures and guidelines used by the animal control authority.

C. ~~((LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. Those holding))~~ A holder of an ~~((I))~~individual ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permit ~~((shall be allowed to possess))~~ may foster no more than five ~~((foster))~~ animals above the limit that would normally apply to their property under K.C.C. Title 21A~~((King County Code))~~.

A ~~((P))~~permit holder~~((s are required to))~~ shall locate an adoptive home for each dog or cat within six months of acquiring the dog or cat. If, after six months, an adoptive home has not been found for a dog or cat, the animal control authority ~~((will))~~ shall review the situation to determine if the permit holder is complying with the ~~((requirements of the))~~ permit. If the director ascertains that a good faith effort is being made to locate adoptive homes, a six-month extension may be granted by the director; however, a six-month private placement pet license must be renewed as an annual pet license.

The presence of juvenile animals ~~((shall))~~ does not necessarily place a permit holder over ~~((their))~~ the permit holder's limit unless the director determines that juvenile animals are present in such large numbers as to place the permit holder out of compliance with the ~~((requirements of the))~~ permit.

~~((Holders of hobby kennel licenses shall be allowed to possess and foster five more animals than are allowed by the conditions of a hobby kennel permit.))~~

D. ~~((INSPECTION, DENIAL AND REVOCATION OF PERMIT.))~~ The animal control authority ~~((shall have the right to))~~ may inspect the facilities of an applicant for an

((I))individual ((P))private ((A))animal ((P))placement ((P))permit to determine whether or not such a permit ~~((shall))~~ is to be issued. In addition, the animal control authority ~~((shall have the right to))~~ may periodically inspect the facilities of holders of ((I))individual ((P))private ((A))animal ((P))placement ((P))permits to ~~((insure))~~ ensure compliance with this ~~((section))~~ chapter. The animal control authority ~~((shall))~~ may also ~~((have the right to))~~ deny or revoke permits based on any one or more of the following: a failure to meet the ~~((above))~~ qualifications in this section; animal control complaints ~~((in the past((present or future)))~~); ~~((and/))~~ or complaints received by animal control regarding the maintenance of the animals by the ((I))individual ((P))private ((A))animal ((P))placement ((P))permit ~~((by neighbors))~~ holder.

SECTION 17. Ordinance 10809, Section 4, as amended, and K.C.C. 11.04.167 are each hereby amended to read as follows:

Private ((A))animal ((P))placement ((P))permit – ((O))organizational.

A. ~~((PERMIT REQUIRED.))~~ An((y)) organization whose members are engaged in the fostering of dogs ~~((and))~~ or cats, or both, or whose members ~~((routinely or from time to time have in their possession up to five more))~~ engaged in the activity of fostering causes the members to exceed the maximum number of ~~((dogs and cats than are))~~ small animals allowed in ~~((Title))~~ K.C.C. Title 21A ~~((K.C.C.))~~, must obtain an ~~((O))~~organizational ((P))private ((A))animal ((P))placement ((P))permit((s)) from the animal control authority for each ~~((of those))~~ member((s)) of the organization. An ~~((O))~~organization((s)) may purchase up to ~~((5 Permits, or up 20))~~ twenty ((P))permits per year~~((Provided, however, that))~~, but the director ~~((has the authority to))~~ may issue more than ~~((20))~~ twenty

~~((P))~~permits to an organization~~((;))~~ when to do so would further the goals of the animal control section and be in the public interest. Permits ~~((shall be))~~ are valid for one year from the date of issuance~~((;))~~ and may be transferred between members of the organization.

B. ~~((QUALIFICATIONS.—In order t))~~To qualify to distribute ~~((O))~~organizational ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permits to its members an organization ~~((must))~~ shall:

1. Be of a reputable nature~~((;))~~ and engaged in the fostering of animals solely for the benefit of the animals involved, and not as a commercial enterprise~~((;))~~;

2. Agree to furnish animal control with the names, addresses and phone numbers of each of the holders of its permits~~((;))~~, including immediately furnishing this information when a transfer takes place~~((;))~~; and

3. Agree that to the best of ~~((their))~~ its ability ~~((they shall))~~ it will only issue permits to individuals who will comply with the requirements of K.C.C. 11.04.165 B~~((;))~~

a. ~~Maintain and care for dogs and cats in a humane and sanitary fashion in compliance with the provisions of K.C.C. 11.04.090.~~

b. ~~Reside where the fostering of dogs and cats is compatible with the surrounding neighborhood.~~

c. ~~Agree to return stray or lost animals to their owners in accordance with the requirements of K.C.C. 11.04.210 before placing such animals in an adoptive home.~~

d. ~~Spay/ neuter and license each dog or cat and transfer the license of each animal to its adoptive owner.~~

~~e. Coordinate their adoption process with animal control, including reporting on the disposition of each animal, and only adopting to owners who would qualify to adopt an animal from a King County Animal Control Shelter based on the adoption procedures and guidelines used by the animal control authority)).~~

C. ~~((LIMITATION ON NUMBER OF DOGS AND CATS ALLOWED. Those holding))~~ A holder of an ~~((Θ))~~organizational ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permit ~~((shall be allowed to))~~ may foster ~~((up to))~~ no more than five ~~((more dogs or cats))~~ animals above the limit that would normally apply to their property under K.C.C. Title 21A ~~((King County Code. Holders of hobby kennel licenses shall be allowed to foster five more animals than are allowed by conditions of a hobby kennel permit))~~.

A ~~((P))~~permit holder~~((s are required to locate an adoptive home for each dog or cat within six months of acquiring the dog or cat. If, after six months, an adoptive home has not been found for a dog or cat, the animal control authority will review the situation to determine if the permit holder is complying with the requirements of the permit. If the director ascertains that a good faith effort is being made to locate adoptive homes, a six-month extension may be granted.~~

~~The presence of juvenile animals shall not necessarily place a permit holder over the limit of five foster animals beyond the limit that would normally apply to their property under K.C.C. 21A.30.020 unless the director determines that juvenile animals are present in such large numbers as to place the permit holder out of compliance with the requirements of the permit))~~ shall comply with K.C.C. 11.04.165C.

D. ~~((INSPECTION, DENIAL AND REVOCATION OF PERMIT.))~~ The animal control authority ~~((shall have the right to))~~ may inspect the facilities of an applicant for an ~~((Θ))~~organizational ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permit to determine whether or not such a permit ~~((shall))~~ is to be issued. In addition, the animal control authority ~~((shall have the right to))~~ may periodically inspect the facilities of holders of ~~((Θ))~~organizational ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permits to ~~((insure))~~ ensure compliance with this ~~((Section))~~ chapter, and to determine whether or not the organization as a whole will be allowed to continue fostering dogs and cats. The animal control authority ~~((shall also have the right to))~~ may also deny or revoke permits based on any combination of one or more of the following: a failure to meet the ~~((above))~~ qualifications in this section; animal control complaints ~~((+))~~ in the past~~((, present or future))~~; ~~((and/))~~ or complaints received by animal control regarding the maintenance of animals by the individual private placement permit holder as issued by the ~~((Θ))~~organizational ~~((P))~~private ~~((A))~~animal ~~((P))~~placement ~~((P))~~permit ~~((by neighbors))~~ holder.

NEW SECTION. SECTION 18. There is hereby added to K.C.C. chapter 11.04 a new section to read as follows:

Violations - infraction. A violation of any provision of this chapter, except for a violation noted as a misdemeanor under K.C.C. 11.04.190, is an infraction. A person cited for an infraction is subject to the justice court rules of procedures. A person found guilty of committing an infraction shall be assessed a monetary penalty not to exceed one thousand

dollars. A finding that an infraction has been committed shall not give rise to any other legal disability which is based upon conviction of a crime.

SECTION 19. Ordinance 1396, Art. III Section 3, and K.C.C. 11.04.190 are each hereby amended to read as follows:

Violations – ~~((M))~~misdemeanor – ~~((P))~~enalty. A~~((ny))~~ person who allows an animal to be maintained in violation of ~~((this chapter))~~ K.C.C. 11.04.230 H. or I., 11.04.240, 11.04.250 or 11.04.290 is guilty of a misdemeanor punishable either by a fine of not more than ~~((two hundred fifty)) one thousand~~ dollars ~~((and/))~~ or by imprisonment in the county jail for ~~((a term))~~ not ~~((to exceed))~~ more than ninety days, or by both.

SECTION 20. Ordinance 1396, Art. III Section 5, as amended, and K.C.C. 11.04.210 are each hereby amended to read as follows:

Impounding.

A. The director of the animal control authority and ~~((his))~~ the director's authorized representatives may apprehend an~~((y))~~ animal~~((s))~~ found doing an~~((y of the))~~ act~~((s))~~ defined as a public nuisance ~~((and/))~~ or being subjected to cruel treatment as defined by law, or both. After such an animal~~((s are))~~ is apprehended, the animal control authority shall ascertain whether ~~((they are))~~ the animal is licensed~~((;))~~ or otherwise identifiable. If reasonably possible, the animal control authority shall return the animal to the owner together with a notice of violation of this chapter. If it is not reasonably possible to immediately return a currently licensed animal to its owner, the animal control authority shall notify the owner within a reasonable time by regular mail or telephone that the animal has been impounded and may be redeemed. A~~((ny))~~ currently licensed animal impounded

~~((pursuant to))~~ in accordance with this chapter shall be held for the owner at least one hundred twenty hours, after telephone contact by the impounding agency, or for at least two weeks after posting of the notification of impoundment by regular mail; any other animal impounded ~~((pursuant to))~~ in accordance with this chapter shall be held for its owner at least seventy-two hours from the time of impoundment. ~~((The county shall not sell any animals to research institutes or licensed dealers for research purposes.))~~ An ~~((y))~~ animal suffering from serious injury or disease may be humanely destroyed ~~((;))~~ or, in the discretion of the impounding authority, may be held for a longer period and redeemed by any person on payment of charges not exceeding those prescribed ~~((herein))~~ in this chapter.

B. An ~~((y))~~ animal not redeemed shall be treated in one of the following ways:

1. Made available for adoption at a fee ~~((of \$7.50 per animal))~~ as provided in K.C.C. 11.04.035.

a. A ~~((ny))~~ person may adopt an animal impounded ~~((pursuant to the provisions contained in))~~ in accordance with this chapter ~~((when all billable costs, redemption fees, penalties, and boarding costs incurred in such impoundment are made payable to the county finance director, which may be accepted by the animal control authority acting as agent for the county. As provided in K.C.C. 11.04.035,))~~. ~~((a))~~ All dogs and cats ~~((over the age of six months))~~ adopted from the King County animal shelter shall be spayed or neutered prior to adoption. A spay ~~((/))~~ or neuter deposit shall be charged for dogs and cats ~~((under the age of six months which are too young to))~~ that cannot be spayed ~~((/))~~ or neutered ~~((prior to))~~ before adoption due to age, health or other reasons. This deposit ~~((will))~~ shall be returned to the adopting person upon submission of proof that the

sterilization was performed within six months from the date of adoption. Failure to spay~~((/))~~ or neuter such a dog or cat is a violation of this chapter and a breach of the adoption contract and ~~((will))~~ shall result in the forfeiture of the adoption and return of the dog or cat to King County animal control for the required spaying~~((/))~~ or neutering.

b. The director ~~((shall have the authority to))~~ may set administrative rules regarding the adoption of animals from King County shelters~~((;))~~ or

2. Humanely destroyed by euthanasia.

C. The county shall not sell an~~((y))~~ animal~~((s for the purposes of medical research))~~ to a~~((ny))~~ research institute or any other purchaser~~((s))~~ for the purposes of medical research.

D. An~~((y))~~ unaltered dog or cat impounded more than once in a twenty-four-month period shall be spayed or neutered by either the animal control authority ~~((prior to))~~ before the release of the dog or cat~~((;))~~ or, at the request of the owner, by ~~((the owner of the dog or cat, provided))~~ a licensed veterinarian of the owner's choosing, if the owner agrees to pay a cash deposit of ~~(((\$250))~~ two hundred fifty dollars and provides proof of ~~((neutering or spaying))~~ spay or neuter on a form provided by the county. ~~((In order f))~~ For the deposit to be refunded to the owner, the form must be certified by a licensed veterinarian and returned to the animal control authority within five business days of release of the dog or cat to the owner. If proof of ~~((neutering or spaying))~~ spay or neuter is not provided within five days, the animal control authority ~~((will have the right to))~~ may again impound the dog or cat to ensure that it is spayed or neutered. If the dog or cat is spayed or neutered by the animal control authority, one hundred dollars shall be assessed

to cover the cost of the spay or neuter (~~((shall be charged to the owner upon redemption but shall be deducted from the impound/redemption fees otherwise required under this chapter))~~)).

NEW SECTION. SECTION 21. There is hereby added to K.C.C. chapter 11.04 a new section to read as follows:

Humane treatment — failure to provide. It is a violation of this chapter to fail to provide an animal with humane treatment.

SECTION 22. Ordinance 1396, Art. III Section 9, as amended, and K.C.C.. 11.04.260 are each hereby amended to read as follows:

Violations – ~~((N))~~notice and order.

A. Whenever the director or authorized animal control officer has found an animal maintained in violation of this chapter, the director of the animal control authority shall commence proceedings to cause the abatement of each violation.

B. The director or authorized animal control officer shall issue a notice of violation and an order directed to the owner or the person presumed to be the owner of the animal maintained in violation of this chapter. The notice and order shall contain:

1. The name and address if known of the owner or person presumed to be the owner of the animal in violation of this chapter;
2. The license number, if available, and description of the animal in violation sufficient for identification;

3. A statement to the effect that the director or authorized animal control officer has found the animal maintained illegally with a brief and concise description of the conditions, which caused the animal to be in violation of this chapter;

4. A statement of the action required to be taken to abate the violation, as determined by the director of the animal control authority. Action may include, but is not limited to, requiring removal of the animal, or requiring setback, additional setback, fencing, screening or soundproofing to insure the compatibility with the surrounding neighborhood, or requiring measures to ensure humane treatment.

a. If the director has determined the animal in violation must be disposed with, the order shall require that the abatement be completed within a specified period of time from the date of the order as determined by the director to be reasonable;

b. If the director of the animal control authority has determined to assess a civil penalty, the order shall require that the penalty shall be paid within fourteen days from the date of the order.

5. Statements advising that if any required abatement is not commenced within the time specified, the director of the animal control authority (~~will~~) shall proceed to cause abatement and charge the costs thereof against the owner;

6. Statements advising:

a. That a person having a legal interest in the animal may appeal from the notice of violation and order or any action of the director of the animal control authority to the board of appeals, provided the appeal is made in writing as provided by this chapter, and

filed with the director of the animal control authority within fourteen days from the date of service of such notice of violation and order,

b. That failure to appeal (~~will~~) constitutes a waiver of all right to an administrative hearing and determination of the matter;

C. The notice and order shall be served on the owner or presumed owner of the animal in violation.

D. Service of the notice of violation and order shall be made upon all persons entitled thereto:

1. Personally; or,
2. By mailing a copy of such notice of violation and order by certified mail, postage prepaid, return receipt requested, to the person at his last known address; or,
3. Posting the notice of violation and order on the front door of the living unit of the owner or person with right to control the animal if said owner or person is not home.

E. Proof of service of the notice of violation and order shall be made at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date and manner in which service was made.

F. The standards of this chapter shall be followed by the director of the animal control authority in determining the existence of an animal control violation and in determining the abatement action required.

SECTION 23. Ordinance 6370, Section 11, and K.C.C. 11.04.320 are each hereby repealed.

SECTION 24. Ordinance 10423, Section 6, and K.C.C. 11.04.500 are each hereby repealed.

~~((Euthanasia rate targets. A. It shall be the policy of King County that the following maximum euthanasia rate targets are used to measure the progress towards reducing the rates of unwanted, healthy pet cats and dogs destroyed by the animal control authority and/or its designees. The euthanasia rates shall not include animals that are destroyed because they are feral, medically or temperamentally unsuitable for adoption or have been released by their owners for owner-requested euthanasia. The computation of the euthanasia rates shall be based on a population which is defined as all of King County, except the City of Seattle.~~

~~1. The number of healthy dogs and cats destroyed by King County animal control and its designees exceeds 11 cats per 1,000 persons living in the county and 6.6 dogs per 1,000 persons living in the county for any given year ending December 31st, or~~

~~2. The number of healthy dogs and cats destroyed by King County animal control or its designees exceeds 5.5 cats per 1,000 persons living in the county and 3.3 dogs per 1,000 persons living in the county for the year ending December 31, 1996, or~~

~~3. The number of healthy dogs and cats destroyed by King County animal control or its designees exceeds 1.7 cats per 1,000 persons living in the county and 1.0 dogs per 1,000 persons living in the county for the year ending December 31, 2000.~~

~~B. The animal control authority shall report annually to the council about the number of unwanted, healthy pets destroyed and what additional measures or programs might be recommended for council approval to reduce the euthanasia rates.))~~

SECTION 25. Ordinance 10423, Section 19, and K.C.C. 11.04.520 are each hereby amended to read as follows:

Rabies vaccination required. All dogs and cats (~~((six))~~) four months of age or older shall be vaccinated against rabies. All vaccinations shall be performed in accordance with the standards contained in the Compendium of Animal Rabies Control as amended, published by the National Association of State Public Health Veterinarians, Inc.

SECTION 26. Ordinance 10423, Section 20, and K.C.C. 11.04.530 are each hereby repealed.

~~((Exemptions from chapter. The provisions of this chapter shall not apply to dogs and cats in the custody of an animal facility registered or licensed by the United States Department of Agriculture and regulated by 7 United States Code 2131, et seq.))~~

SECTION 27. Ordinance 10870, Section 530, as amended, and K.C.C. 21A.30.020 are each hereby amended to read as follows:

Animal regulations – ~~((S))~~small animals. The raising, keeping, breeding or fee boarding of small animals are subject to K.C.C. chapter 11.04, Animal Control Regulations, and the following requirements:

A. Small animals (~~((which))~~) that are kept indoors as household pets in aquariums, terrariums, cages or similar containers shall not be limited in number, except as ~~((may be))~~ provided in K.C.C. Title 11. Other small animals, excluding cats kept indoors as household pets, shall be limited to five~~((, of which not more than three may be unaltered cats or dogs))~~ unless more are allowed under K.C.C. chapter 11.04. For the purposes of this subsection, “small animals that are kept indoors as household pets” includes dogs

that are maintained primarily indoors and are allowed or exercised outdoors for brief supervised periods on a leash or in a confined area. Cats kept indoors as household pets shall not be limited in numbers. For the purposes of this subsection, "cats kept indoors as household pets" means that all cats are kept strictly indoors, which may include a fully enclosed structure attached to the house, and are not allowed outdoors at any time. Cats harbored, kept or maintained exclusively indoors are subject to all other provisions of K.C.C. Title 11.

B. Other small animals kept outside, including adult cats and dogs, shall be limited to three per household on lots of less than ~~((20,000))~~ twenty thousand square feet, five per household on lots of ~~((20,000))~~ twenty thousand to ~~((35,000))~~ thirty-five thousand square feet, with an additional ~~((2))~~ one per one-half acre of site area over ~~((35,000))~~ thirty-five thousand square feet up to a maximum of ~~((20))~~ twenty, ~~((unless))~~ except as follows:

1. ~~((m))~~ More are allowed as an accessory use ~~((pursuant to paragraph))~~ under subsection E.((, provided that all unaltered animals kept outdoors must be kept on a leash or in a confined area, except as authorized for a hobby kennel or cattery or commercial kennel or cattery pursuant to)) of this section; or

2. More are allowed under K.C.C. chapter 11.04.

C. ~~((Excluding kennels and catteries, t))~~ The total number of unaltered adult cats and~~((/))~~ or dogs, or both, per household shall not exceed three, except as authorized under K.C.C. chapter 11.04, but all unaltered animals kept outdoors must be kept on a leash or in a confined area.

D. Animals considered to be household pets shall be treated as other small animals ~~((pursuant to))~~ in accordance with K.C.C. 21A.30.020E when they are kept for commercial breeding, boarding or training.

E. Small animals and household pets kept as an accessory use outside the dwelling, shall be raised, kept or bred only as an accessory use on the premises of the owner, or in a kennel or cattery, subject to the following limitations:

1. Birds shall be kept in an aviary or loft that meets the following standards:

a. The aviary or loft shall provide ~~((1/2))~~ one-half square foot for each parakeet, canary or similarly sized birds, ~~((1))~~ one square foot for each pigeon, small parrot or similarly sized bird~~((;))~~ and ~~((2))~~ two square feet for each large parrot, macaw or similarly sized bird~~((;))~~;

b. Aviaries or lofts shall not exceed ~~((2,000))~~ two thousand square feet, ~~((provided))~~ but this limit shall not apply in rural, forestry~~((;))~~ or agricultural zones~~((;))~~; and

c. The aviary is set back at least ~~((40))~~ ten feet from any property line~~((;))~~ and ~~((20))~~ twenty feet from any dwelling unit~~((;))~~;

2. Small animals other than birds shall be kept according to the following standards:

a. The minimum site area shall be one-half acre if more than ~~((3))~~ three small animals are being kept~~((;))~~;

b. All animals shall be confined within a building, pen, aviary or similar structure~~((;))~~;

c. A(~~ny~~) covered structure used to house or contain such animals shall maintain a distance of not less than ((40)) ten feet to any property line, except structures used to house mink and fox shall be a distance of not less than ((150)) one hundred fifty feet((-));

d. Poultry, chicken, squab((-)) and rabbits are limited to a maximum of one animal per one square foot of structure used to house such animals, up to a maximum of ((2000)) two thousand square feet((-; provided that)), but this maximum structure size limit shall not apply in rural, forestry((-)) or agricultural zones((-));

e. Hamsters, nutria and chinchilla are limited to a maximum of one animal per square foot of structure used to house such animals, up to a maximum of ((2000)) two thousand square feet((-; provided that)), but this maximum structure size limit shall not apply in rural, forestry((-)) or agricultural zones((-));

f. Mink and fox are permitted only on sites having a minimum area of five acres((-));

g. Beekeeping is limited as follows:

(1) Beehives are limited to ((50)) fifty on sites less than five acres;

(2) The number of beehives shall not be limited on sites of five acres or greater;

(3) Colonies shall be maintained in movable-frame hives at all times;

(4) Adequate space shall be provided in each hive to prevent overcrowding and swarming;

(5) Colonies shall be requeened following any swarming or aggressive behavior;

(6) All colonies shall be registered with the ~~((€))~~county ~~((£))~~extension agent ~~((prior to))~~ before April 1~~((st))~~ of each year, on a state registration form acceptable to the county; and

(7) Abandoned colonies, diseased bees, or bees living in trees, buildings~~((;))~~ or any other space except in movable-frame hives shall constitute a public nuisance, and shall be abated ~~((as set forth))~~ in accordance with K.C.C. chapter 21A.50, Enforcement;

3. Kennels and catteries are subject to K.C.C. chapter 11.04 and the following requirements:

a. For kennels located on residential zoned sites, except for those kennels located on sites within the Agriculture Zone:

(1) The minimum site area shall be five acres; and

(2) Structures housing animals and outdoor animal runs shall be a minimum distance of ~~((100))~~ one hundred feet from property lines abutting residential zones;

b. For kennels located on non~~((-))~~residential zoned sites~~((;))~~:

(1) ~~((£))~~Run areas shall be completely surrounded by an eight foot solid wall or fence~~((; and be subject to the requirements in K.C.C. 11.04.060))~~; and

(2) Structures housing animals and outdoor animal runs shall be a minimum distance of one hundred feet from property lines abutting residential zones;

c. Catteries shall be on sites of ~~((35,000))~~ thirty-five thousand square feet or more, and buildings used to house cats shall be a minimum distance of ~~((50))~~ fifty feet from property lines abutting residential zones; and

d. Kennels and catteries located in the agriculture zone shall be subject to additional provisions in K.C.C. 21A.08.050.